

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,  
*Plaintiff,*

VS.

O'REILLY AUTOMOTIVE INC., D/B/A  
O'REILLY AUTO PARTS, AND OZARK  
AUTOMOTIVE DISTRUBTORS, INC.,  
*Defendants.*

CIVIL ACTION H-08-2429

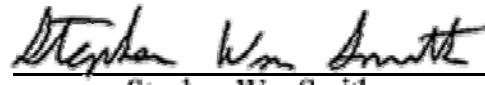
## NOTIFICATION OF AMENDMENT AND ORDER

On November 23, 2010, the court issued a memorandum and recommendation (Dkt. 50). Plaintiff (Dkt. 53) and defendants (Dkt. 52) objected. After reviewing the objections, the court concluded it was appropriate to issue an amended memorandum and recommendation.

The parties are notified that the amended memorandum and recommendation entered this day corrects the phrase “severe and pervasive” to “severe or pervasive.” (*see* Dkt. 50, at 17, 18, 19). The amended memorandum and recommendation contains no other changes from the original.

The parties' objections (Dkts. 52, 53) are deemed filed as to the amended memorandum and recommendation. The amended memorandum and recommendation will be presented to the district court for review on this day.

Signed at Houston, Texas on December 14, 2010.

  
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Stephen Wm Smith  
United States Magistrate Judge